IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C. N. RAMACHANDRAN NAIR

THURSDAY, THE 25TH JANUARY 2007 / 5TH MAGHA 1928

WP(C). No. 32914 of 2006(R)

PETITIONER:

**THE MALABAR ISLAMIC COMPLEX ARTS &
SCIENCE COLLEGE, REPRESENTED BY ITS MANAGER,
CHATTANCHAL P.O., KASARAGOD DISTRICT.**

**BY ADV. SRI. M.K. DAMODARAN (SR.)
SRI. P.K.VIJAYAMOHANAN
SRI. RESMI G. NAIR
SRI. NISHIL. P.S.**

RESPONDENTS:

1. **THE STATE OF KERALA, REPRESENTED BY
THE SECRETARY TO GOVERNMENT,
HIGHER EDUCATION DEPARTMENT, GOVT. OF KERALA,
THIRUVANANTHAPURAM.**

2. **THE KANNUR UNIVERSITY, REPRESENTED BY
ITS REGISTRAR, KANNUR UNIVERSITY CAMPUS P.O.,
KANNUR.**

3. **THE CONTROLLER OF EXAMINATIONS,
KANNUR UNIVERSITY, KANNUR UNIVERSITY CAMPUS P.O.,
KANNUR.**

**BY ADV. SRI. M. SASEENDRAN, SC, KANNUR UNIVERSITY
BY GOVERNMENT PLEADER SRI. BENJAMIN PAUL**

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

...2...

A P P E N D I X

PETITIONER'S EXHIBITS:

EXT. P1	**:**	**COPY OF THE ORDER G.O. (MS) NO. 123/2005/H.EDN. DATED 17.08.2005.**
EXT. P2	**:**	**COPY OF THE REPRESENTATION DATED 18.04.2006 FROM THE PETITIONER TO THE 2ND RESPONDENT.**
EXT. P3	**:**	**COPY OF THE REPRESENTATION DATED 31.08.2006 FROM THE PETITIONER TO THE VICE CHANCELLOR OF THE 2ND RESPONDENT UNIVERSITY.**
EXT. P4	**:**	**COPY OF THE LIST OF STUDENTS ADMITTED TO THE 1ST YEAR B.Sc. MATHEMATICS COURSE 2006-07 AT THE PETITIONER COLLEGE.**
EXT. P5	**:**	**COPY OF THE COMMUNICATION NO. 15/B3/06/H.EDN. DATED 14.08.2006.**
EXT. P6	**:**	**COPY OF THE COMMUNICATION NO. ACAD/A2/713/05 DATED 27.09.2006 FROM THE 2ND RESPONDENT TO THE 1ST RESPONDENT.**
EXT. P7	**:**	**COPY OF THE INTERIM ORDER DATED 09.11.2006 IN W.P(C) NO. 26480/06.**
EXT. P8	**:**	**COPY OF THE COMMUNICATION NO. PRO/1/06 DATED 29.11.2006 ISSUED BY THE 2ND RESPONDENT UNIVERSITY.**

// TRUE COPY //

P.A. TO JUDGE.

smp

C.N. RAMACHANDRAN NAIR, J.

W.P.(C) NO. 32914 OF 2006

Dated this the 25th day of January, 2007.

J U D G M E N T

The petitioner was granted approval by the Government vide Exhibit P1 to start an additional course in B.Sc Mathematics in their college from the academic year 2005-06 onwards. However, petitioner did not commence the course during 2005-06 and on the other hand, started B.Sc Mathematics with 18 students on 17.07.2006. Even though second respondent-University has conducted the inspection, so far affiliation is not granted, is the case of the petitioner. The University has now notified First Year Examination in Mathematics to commence on 25.04.2007. The last date for submitting examination fee is stated to be 15.02.2007. In the circumstances, this writ petition is disposed of with a direction to the second respondent-University to arrange fresh inspection, if required, and go through the curriculum followed and facilities available in the college such as staff strength, lab facilities etc. and grant affiliation for the course if eligible at the earliest and in any case within one month from date of production of copy of this judgment. If affiliation is granted to the course, University will permit the students to remit examination fee. University will extend the time for remittance of examination fee to the

students of First Year B.Sc Mathematics, after approval of the course so that they can write the examination on 25.04.2007. Petitioner will serve a copy of this judgment to second respondent for compliance.

This writ petition is disposed of.

C.N. RAMACHANDRAN NAIR, JUDGE.

smp